UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _10 October 2003_.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-16_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1-16_ is/are rejected.
7) ☒ Claim(s) _1-16_ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☒ All   b) ☐ Some * c) ☐ None of:
      1. ☒ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Priority

1.　　Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 10683691, filed on 12/05/2003. The foreign priority date is 10/14/2002.

Drawings

2.　　The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81(c). No new matter may be introduced in the required drawing. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d).

Specification

3.　　The specification is objected to because of improper arrangement. Correction is required. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Content of Specification

(a)　　Title of the Invention: See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and descriptive, preferably from two to seven words may not contain more than 500 characters.

(b)   Cross-References to Related Applications: See 37 CFR 1.78 and MPEP
       § 201.11.

(c)   Statement Regarding Federally Sponsored Research and Development:
       See MPEP § 310.

(d)   The Names Of The Parties To A Joint Research Agreement: See 37 CFR
       1.71(g).

(e)   Incorporation-By-Reference Of Material Submitted On a Compact Disc:
       The specification is required to include an incorporation-by-reference of
       electronic documents that are to become part of the permanent United
       States Patent and Trademark Office records in the file of a patent
       application. See 37 CFR 1.52(e) and MPEP § 608.05. Computer
       program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)),
       and tables having more than 50 pages of text were permitted as electronic
       documents on compact discs beginning on September 8, 2000.

(f)   Background of the Invention: See MPEP § 608.01(c). The specification
       should set forth the Background of the Invention in two parts:

       (1)   Field of the Invention: A statement of the field of art to which the
              invention pertains. This statement may include a paraphrasing of
              the applicable U.S. patent classification definitions of the subject
              matter of the claimed invention. This item may also be titled
              "Technical Field."

       (2)   Description of the Related Art including information disclosed under
              37 CFR 1.97 and 37 CFR 1.98: A description of the related art
              known to the applicant and including, if applicable, references to
              specific related art and problems involved in the prior art which are
              solved by the applicant's invention. This item may also be titled
              "Background Art."

(g)   Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary
       or general statement of the invention as set forth in 37 CFR 1.73. The
       summary is separate and distinct from the abstract and is directed toward
       the invention rather than the disclosure as a whole. The summary may
       point out the advantages of the invention or how it solves problems
       previously existent in the prior art (and preferably indicated in the
       Background of the Invention). In chemical cases it should point out in
       general terms the utility of the invention. If possible, the nature and gist of
       the invention or the inventive concept should be set forth. Objects of the

invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.

(h)   Brief Description of the Several Views of the Drawing(s): See MPEP § 608.01(f). A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.

(i)   Detailed Description of the Invention: See MPEP § 608.01(g). A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.

(j)   Claim or Claims: See 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on separate sheet or electronic page (37 CFR 1.52(b)(3)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. There may be plural indentations to further segregate subcombinations or related steps. See 37 CFR 1.75 and MPEP § 608.01(i)-(p).

(k)   Abstract of the Disclosure: See MPEP § 608.01(f). A brief narrative of the disclosure as a whole in a single paragraph of 150 words or less commencing on a separate sheet following the claims. In an international application which has entered the national stage (37 CFR 1.491(b)), the applicant need not submit an abstract commencing on a separate sheet if an abstract was published with the international application under PCT Article 21. The abstract that appears on the cover page of the pamphlet published by the International Bureau (IB) of the World Intellectual Property Organization (WIPO) is the abstract that will be used by the USPTO. See MPEP § 1893.03(e).

(l)   Sequence Listing, See 37 CFR 1.821-1.825 and MPEP §§ 2421-2431. The requirement for a sequence listing applies to all sequences disclosed in a given application, whether the sequences are claimed or not. See MPEP § 2421.02.

Claim Objections

4.   Claims 1-16 are objected to because of the following informalities: inconsistent

terminology. Appropriate correction is required.

Claim 1 recites "Method" in line 1. Examiner suggests replacing with "A method".

Claims 2-13 recite "Method" in line 1. Examiner suggests replacing with "The

method" to indicate dependency on independent claim 1 or other claims.

Claim 14 recites "Design" in line 1. Examiner suggests replacing with "A design".

Claim 15 recites "Computer program product" in line 1. Examiner suggests

replacing with "A computer program product".

Claim 16 recites "Computer readable storage medium" in line 1. Examiner

suggests replacing with "A computer readable storage medium".

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6.   Claims 1-7, 9-11, 14-16 are rejected under 35 U.S.C. 102(e) as being anticipated

by Treptow et al. (US 2002/0138564 A1), hereinafter referred to as Treptow.

a. Regarding claim 1, Treptow discloses a method for data output/file output in

communication networks, thereby characterized that an end device transmits to a

data processing unit (FIG. 1, DPS software) at least the information necessary

for accessing the data/files intended for output; the data processing unit,

controlled by a computer program, opens the data/files intended for output at

their respective storage location, starts a print job for issuing the data/files, and

embeds the print file resulting from the print job in a hypertext page, particularly a

HTML or WML site, and/or converts the data/files intended for output into a pre-

specifiable format, and transmits the hypertext page containing the print file

and/or the print file resulting from the print job and/or the, converted where

necessary, data/files to the end device and the end device issues the transmitted

data/files, or provides the hypertext page containing the print file and/or the print

file resulting from the print job and/or the, converted where necessary, data/files

for recall in the communication network and transmits to the end device the

information necessary for accessing the provided information and the end device,

after transmission of the information necessary for access, automatically recalls

and issues the data/files from the communication network or the data/files

intended for output are requested by manual recall and issued (FIG. 17 and para.

0099: A data flow diagram that illustrates data flows and operations performed by

the DPS system software components in response to a print request is shown in

FIG. 17. Initially, the user of an originating device 350 will enter the URL for a

driverless print server Web site (or Intranet site, if applicable) in the browser of

the originating device to load the consumer user print Web page (e.g., Consumer

Web page 130 of FIG. 3). The user will then enter appropriate information for

printing either a document, image, or Web page as discussed above. The entered information will be enabled by ASP controls or a similar mechanism (e.g., javascript, Vbscript, etc.) contained in the Consumer Web pages that are served by the Web server component of the system, depicted as Web server 353...Note that the term "and/or" in this claim is treated as "or" for examining purpose).

b. Regarding claim 2, Treptow further discloses: the end device is a mobile end device (FIG. 1 and para. 0051: In instances in which the DSP host computer comprises a mobile computer, the DPS site may be located anywhere there is an appropriate network connection.).

c. Regarding claim 3, Treptow further discloses: the mobile end device is a mobile telephone, handheld computer, laptop or pocket PC (FIG. 1 and para. 0048: It will be understood that an originating device may include any device that may access a computer network via a network browser, including but not limited to PC's, workstations, laptop computers, PDA's, pocket PC's, cell phones, wireless two-way pagers (e.g., Blackberry devices), and Web TV appliances.).

d. Regarding claim 4, Treptow further discloses: the end device is a stationary end device (FIG. 1 and para. 0048: PC's, workstations, Web TV appliances).

e. Regarding claim 5, Treptow further discloses: the data processing unit is a mobile end device (para. 0049: A Driverless Print Server computer comprises a set of DPS software modules 46 (also referred to herein a the Driverless Print

Server or the Driverless Print Server software, a data processing unit) operating

on a computing device, such as a laptop, or computer server.).

f. Regarding claim 6, Treptow further discloses: the mobile end device is a mobile

telephone, handheld computer, laptop or pocket PC (para. 0049: A Driverless

Print Server computer comprises a set of DPS software modules 46 (also

referred to herein a the Driverless Print Server or the Driverless Print Server

software, a data processing unit) operating on a computing device, such as a

laptop, or computer server.).

g. Regarding claim 7, Treptow further discloses: the information necessary for

accessing data/files intended for output is transmitted from the end device to the

data processing unit via a dialup connection or the internet (para. 0052: In the

case or wireless devices such as PDA 16 and cell phone 18, the wireless device

will typically be connected to the Internet via a cellular network 60 that will

include a service provider data center 62 that enables wireless access to Web

sites via Internet 58.dial).

h. Regarding claim 9, Treptow further discloses: besides the information necessary

for accessing data/files intended for output, the end device additionally transmits

display information and/or information about the pre-specifiable output format of

the data/files to the data processing unit and the data processing unit creates

from the data/files intended for output a bitmap file that suffices for the specific

requirements of the end device's display (para. 0067, lines 6 – 16: when the

Preview CGI script is called, the system converts the document, image, or Web

page to a format for viewing in the consumer user's Web browser rather than sending it to the printer for printing. Also para. 103, lines 1 – 17: While the foregoing operations are going on, the user of originating device 350 may select to preview a simulated printed output of the document, image or Web page prior to having the source document printed...).

i.   Regarding claim 10, Treptow further discloses: the display information includes the size of the display, the necessary scaling, and/or input for either color or black-and-white display (para. 0009, lines 15 – 18: The print request may further include printing options, such as number of copies, type of paper, n-up colors per page, color or monochrome, etc. Also para. 103, lines 1 – 17: While the foregoing operations are going on, the user of originating device 350 may select to preview a simulated printed output of the document, image or Web page prior to having the source document printed...).

j.   Regarding claim 11, Treptow further discloses: the pre-specifiable format and/or the display information is stored according to user on the data processing unit (para. 0100, lines 1 – 9: Each request is processed by a block 358 in which the tmpdoc.dpsn file is parsed to retrieve print job parameters corresponding to the print request, which are stored in a document file 360. For example, parsed information may include a printer selection, number of copies, identity of consumer user, document name, etc. A portion of the print job parameters are then stored in a DPS database 386.).

k. Regarding claim 14, Treptow discloses a design with at least one processor

and/or chip that is (are) so constructed that a method for data output/file output in

communication networks is executable, that an end device transmits to the data

processing unit at least the information necessary for accessing data/files

intended for output, that the data processing unit, controlled by a computer

program, opens the data/files intended for output at their respective storage

location, starts a print job for issuing the data/files, and embeds the print file

resulting from the print job in a hypertext page, particularly a HTML or WML site,

and/or converts the data/files intended for output into a pre-specifiable format,

and transmits the hypertext page containing the print file and/or the print file

resulting from the print job and/or the, converted where necessary, data/files to

the end device and the end device issues the transmitted data/files; or provides

the hypertext page containing the print file and/or the print file resulting from the

print job and/or the, converted where necessary, data/files for recall in the

communication network and transmits to the end device the information

necessary for accessing the provided information and the end device, after

transmission of the information necessary for access, automatically recalls and

issues the data/files from the communication network or the data/files intended

for output are requested by manual recall and issued (FIG. 17 and para. 0099: A

data flow diagram that illustrates data flows and operations performed by the

DPS system software components in response to a print request is shown in FIG.

17. Initially, the user of an originating device 350 will enter the URL for a

driverless print server Web site (or Intranet site, if applicable) in the browser of

the originating device to load the consumer user print Web page (e.g., Consumer

Web page 130 of FIG. 3). The user will then enter appropriate information for

printing either a document, image, or Web page as discussed above. The

entered information will be enabled by ASP controls or a similar mechanism

(e.g., javascript, Vbscript, etc.) contained in the Consumer Web pages that are

served by the Web server component of the system, depicted as Web server

353...Note that the term "and/or" in this claim is treated as "or" for examining

purpose.).

I.   Regarding claim 15, Treptow discloses a computer program product that

comprises a computer readable storage medium on which a program is stored

that, once it has been loaded onto a computer's memory, enables the computer

to perform a method for data output/file output in communication networks, by

which an end device transmits to a data processing unit at least the information

necessary for accessing the data/files intended for output, that the data

processing unit, controlled by a computer program, opens the data/files intended

for output at their respective storage location, starts a print job for issuing the

data/files, and embeds the print file resulting from the print job in a hypertext

page, particularly a HTML or WML site, and/or converts the data/files intended

for output into a pre-specifiable format, and transmits the hypertext page

containing the print file and/or the print file resulting from the print job and/or the,

converted where necessary, data/files to the end device and the end device

issues the transmitted data/files; or provides the hypertext page containing the

print file and/or the print file resulting from the print job and/or the, converted

where necessary, data/files for recall in the communication network and

transmits to the end device the information necessary for accessing the provided

information and the end device, after transmission of the information necessary

for access, automatically recalls and issues the data/files from the

communication network or the data/files intended for output are requested by

manual recall and issued (FIG. 17 and para. 0099: A data flow diagram that

illustrates data flows and operations performed by the DPS system software

components in response to a print request is shown in FIG. 17. Initially, the user

of an originating device 350 will enter the URL for a driverless print server Web

site (or Intranet site, if applicable) in the browser of the originating device to load

the consumer user print Web page (e.g., Consumer Web page 130 of FIG. 3).

The user will then enter appropriate information for printing either a document,

image, or Web page as discussed above. The entered information will be

enabled by ASP controls or a similar mechanism (e.g., javascript, Vbscript, etc.)

contained in the Consumer Web pages that are served by the Web server

component of the system, depicted as Web server 353…Note that the term

"and/or" in this claim is treated as "or" for examining purpose.).

m. Regarding claim 16, Treptow discloses a computer readable storage medium on

which a program is stored once it has been loaded onto a computer's memory,

enables the computer to perform a method for data output/file output in

communication networks, by which an end device transmits to a data processing

unit at least the information necessary for accessing the data/files intended for

output, that the data processing unit, controlled by a computer program, opens

the data/files intended for output at their respective storage location, starts a print

job for issuing the data/files, and embeds the print file resulting from the print job

in a hypertext page, particularly a HTML or WML site, and/or converts the

data/files intended for output into a pre-specifiable format, and transmits the

hypertext page containing the print file and/or the print file resulting from the print

job and/or the, converted where necessary, data/files to the end device and the

end device issues the transmitted data/files; or provides the hypertext page

containing the print file and/or the print file resulting from the print job and/or the,

converted where necessary, data/files for recall in the communication network

and transmits to the end device the information necessary for accessing the

provided information and the end device, after transmission of the information

necessary for access, automatically recalls and issues the data/files from the

communication network or the data/files intended for output are requested by

manual recall and issued (FIG. 17 and para. 0099: A data flow diagram that

illustrates data flows and operations performed by the DPS system software

components in response to a print request is shown in FIG. 17. Initially, the user

of an originating device 350 will enter the URL for a driverless print server Web

site (or Intranet site, if applicable) in the browser of the originating device to load

the consumer user print Web page (e.g., Consumer Web page 130 of FIG. 3).

The user will then enter appropriate information for printing either a document, image, or Web page as discussed above. The entered information will be enabled by ASP controls or a similar mechanism (e.g., javascript, Vbscript, etc.) contained in the Consumer Web pages that are served by the Web server component of the system, depicted as Web server 353...Note that the term "and/or" in this claim is treated as "or" for examining purpose.).

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8.   Claims 8 and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Treptow as applied to claim 1 above, and further in view of Christfort et al. (US 7,089,295 B2), hereinafter referred to as Christfort.

  a. Regarding claim 8, Treptow does not disclose: the information necessary for accessing data/files intended for output is transmitted from the end device to the data processing unit via SMS. However, Christfort teaches that WAP phones may connect to the Internet to access services over a wireless connection using an asynchronous protocol, such as the short message service (SMS) protocol (col. 13, lines 3 - 13). Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the teaching of Christfort into Treptow's method so that the information necessary for accessing data/files intended for output is

transmitted from the end device to the data processing unit via SMS. The

motivation would be providing customers more ways of accessing the services

and as a result, more business for the service provider.

b. Regarding claim 12, Treptow does not disclose: the data processing unit creates

a pure text file from the data/files intended for output. However, Christfort

teaches that an end user may be a mobile phone that is requesting driving

directions from a map service provider. The mobile phone may not be capable of

displaying graphics, and therefore the map service provider need only supply a

response to the request that includes text, not graphics, showing the desired

route (col. 8, lines 51 – 56). Therefore, it would have been obvious to one of

ordinary skill in the art to incorporate the teaching of Christfort into Treptow's

method so that the data processing unit creates a pure text file from the data/files

intended for output. The motivation would be providing more customization for

customers to meet their needs.

c. Regarding claim 13, Treptow does not disclose: the descriptions necessary for

accessing the data/files provided for recall in the communication network are

transmitted from the data processing unit to the end device by email or SMS.

However, Christfort teaches that WAP phones may connect to the Internet to

access services over a wireless connection using an asynchronous protocol,

such as the simple mail transfer protocol (SMTP) or the short message service

(SMS) protocol (col. 13, lines 3 - 13). Therefore, it would have been obvious to

one of ordinary skill in the art to incorporate the teaching of Christfort into

Treptow's method so that the information necessary for accessing data/files intended for output is transmitted from the end device to the data processing unit via email or SMS. The motivation would be providing customers more ways of accessing the services and as a result, more business for the service provider.

Remarks

9.   The following pertaining arts are discovered and not used in this office action. Office reserves the right to use these arts in later actions.

*   Eves et al. (US 6,643,697 B1) Network communication system provides users capabilities to perform initial registration simplied connection procedures and access multiple host systems without repeation a full registration

*   Shimizu et al. (EP 1056247) Printing System for e-mail

*   Turnbull (US 2002/0133626 A1) Web Content Format for Mobile Devices

*   Ndili (US 2002/0161928 A1) Smart Agent for Providing Network Content to Wireless Devices

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Lai whose telephone number is (571) 270-3236. The examiner can normally be reached on M-F 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marvin Lateef can be reached on (571) 272-5026. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael C. Lai
01AUG2007

MARVIN M. LATEEF
SUPERVISORY PATENT EXAMINER